

**STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO
REGULAR MEETING OF BOARD OF SUPERVISORS
WEDNESDAY, DECEMBER 15, 1999**

MORNING SESSION – Meeting was called to order at 9:15 a.m.

Present: Supervisors Pam Slater, Chairwoman; Dianne Jacob, Vice Chairwoman; Greg Cox, Ron Roberts; and Bill Horn; also Thomas J. Pastuszka, Clerk.

Approval of Statement of Proceedings/Minutes for meeting of November 10, 1999, and Board of Commissioners' Housing Authority Statement of Proceedings/Minutes for Meetings of June 16, 1999 and September 15, 1999.

ACTION

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors approved the minutes for the meeting of November 10, 1999, and Board of Commissioners' Housing Authority Statement of Proceedings/Minutes for Meetings of June 16, 1999 and September 15, 1999.

AYES: Cox, Jacob, Slater, Roberts, Horn

Public Communication

(No Speakers)

Board of Supervisors' Agenda Items

1. Noticed Public Hearing:
General Plan Amendment (GPA) 99-HE; 1999-2004 Housing Element of the County of San Diego General Plan
2. Noticed Public Hearing:
General Plan Amendment 99-Ce (GPA 99-CE), State Route 11, East Otay Mesa Specific Planning Area
3. Noticed Public Hearing;
Multiple Species Conservation Program – Acquisition of Parcel 99-0128-A
(The Nature Conservancy)
(4 VOTES)
4. Off-Highway Vehicle (OHV) Route Location Study
(4 VOTES)
5. Progress Report: General Plan 2020

6. Grant Application to the Ford Foundation for Regional General Permit 53 – Sweetwater River Mitigation Site
 7. Amendment to the Revenue Agreement for the Leaking Underground Storage Tanks Program
[Funding source is the amended revenue agreement with the State Water Resources Control Board]
(4 VOTES)
 8. Extension of Time to Complete Improvements for Tentative Map Numbers 3838-1, 4348-1, 4500-4, 4626-1, 4626-2, 4626-3, 4754-3, 4783-1, 4829-1, 4854- 1, 4858-1, 4875-1, 5049-1, and 5092-1
 9. Administrative Item:
Approval of a Final Map and Secured Agreement for Private Improvements for County of San Diego Tract No. 4867-1, Located in Bonsall Area
 10. Memorandum of Agreement Between the County of San Diego and the State of California Department of Parks and Recreation Off-Highway Motor Vehicle Division
 11. Administrative Item:
Approval of a Final Map and Secured Agreement for Public and Private Improvements for County of San Diego Tract No. 4993-1, Located in Fallbrook Planning Area
 12. Approval of a Final Map and Secured Agreements for Public And Private Improvements for County of San Diego Tract No. 5066-1, Located in the San Dieguito Community Planning Area
 13. Administrative Item:
Second Consideration and Adoption of Ordinance
An Ordinance Amending the County Fire Code; Wildland/Urban Interface Standards
 14. Administrative Item:
Second Consideration and Adoption of Ordinance
Traffic Advisory Committee Recommendations to the County Board of Supervisors
 15. Administrative Item:
Ratify Proclamation of Local Emergency for Damaging Conditions Caused by the Mexican Fruit Fly Infestation of October 1999
 16. Closed Session
 17. Presentation/Proclamations
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1. **SUBJECT: NOTICED PUBLIC HEARING
GENERAL PLAN AMENDMENT (GPA) 99-HE; 1999-2004 HOUSING
ELEMENT OF THE COUNTY OF SAN DIEGO GENERAL PLAN
(Supv. Dist: All)**

OVERVIEW:

The project is the adoption of the 1999-2004 County Housing Element. This is a revision to the 1991-1999 Housing Element of the County of San Diego General Plan. The 1999-2004 Housing Element addresses existing and projected housing needs for all income levels, identifies governmental constraints, and establishes goals, policies, and action programs that present identified housing needs in the unincorporated area for a five-year period. The 1999-2004 County Housing Element is required by State law to be adopted by December 31, 1999.

FISCAL IMPACT:

If approved, the proposal will result in \$0.00 current year cost, \$0.00 annual cost, and the addition of 0.0 staff years.

BUSINESS IMPACT STATEMENT:

The Housing Element contains policies and action programs that will facilitate the development of housing for all income levels.

RECOMMENDATION:

PLANNING COMMISSION :

Recommend to the Board of Supervisors that they:

1. Find, on the basis of the whole record, that there is no substantial evidence that the project will have a significant effect on the environment. Consider the Negative Declaration together with comments received during public review, and adopt it, finding that it reflects the independent judgment and analysis of the Board of Supervisors.
2. Adopt a Resolution entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT (GPA) 99-HE.

CHIEF ADMINISTRATIVE OFFICER:

Concurs with the Planning Commission.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors closed the Hearing and took action as recommended, adopting Resolution No. 99-371, entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT (GPA) 99-HE.

AYES: Cox, Jacob, Slater, Roberts, Horn

2. **SUBJECT: NOTICED PUBLIC HEARING:
GENERAL PLAN AMENDMENT 99-CE (GPA 99-CE), STATE ROUTE
11, EAST OTAY MESA SPECIFIC PLANNING AREA**
(Supv. Dist: 1)

OVERVIEW:

SR 11 is designated as a future State Route by the California legislature. On October 7, 1999, the Governor of the State of California signed Assembly Bill 1650 (AB 1650) which includes, among other items, the addition of State Highway Route 11 (SR 11) to the California freeway and expressway system. The text of the County of San Diego's General Plan Circulation Element states that, "The Circulation Element shows corridors of existing and proposed State highway routes as planned by the California Department of Transportation (CalTrans) in coordination with the cities and County." The addition of SR 11 to the County's Circulation Element would be consistent with the goals and objectives of the County's General Plan because it would show the proposed SR 11 which has been recently added to the California freeway and expressway system.

The proposed project (GPA 99-CE) is a General Plan Amendment (GPA) to add State Route 11 as a proposed freeway to sheet 6 of the Circulation Element of the County of San Diego General Plan (Attachment A). The proposed freeway corridor would be located within the East Otay Mesa Specific Planning Area. The limits for the SR 11 corridor would be from the City of San Diego city limits to the United States/Mexico International Border.

FISCAL IMPACT:

Not Applicable.

BUSINESS IMPACT STATEMENT:

Will assist businesses with cross-border transportation needs and will have a positive impact in the future development of East Otay Mesa.

RECOMMENDATION:

PLANNING COMMISSION:

1. Review and consider the information contained within the Final Environmental Impact Report (EIR) for the East Otay Mesa Specific Plan dated May 11, 1994 and Addendum dated January 13, 1999.
2. Find that there are no changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously certified Environmental Impact Report, and that there is not a substantial increase in the severity of previously identified effects, and that no new information of substantial importance has become available since said Environmental Impact Report was prepared.
3. Adopt the Final Resolution approving the Amendment (GPA 99-CE) which includes the following:
 - A. Addition of State Route 11 (SR 11) as a proposed freeway to sheet 6 of the County of San Diego's General Plan Circulation Element.

- B. Designation of the limits for the SR 11 corridor from the City of San Diego city limits to the United States/Mexico International Border. The alignment for the SR 11 corridor shall be as shown in the East Otay Mesa Specific Plan and summarized in Attachment A-3.
- C. Addition of a note on sheet 6 on the Circulation Element that states that “Buildings may not be located within the designated SR 11 corridor. Right-of-way, through purchase and/or dedication, will not be acquired until CalTrans has completed the construction level environmental studies for the SR 11 highway project.”

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Concur with the Planning Commission recommendation.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Horn, the Board of Supervisors closed the Hearing and took action as recommended on Consent, adopting Resolution No. 99-372, entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT (GPA) 99-CE.

AYES: Cox, Jacob, Slater, Roberts, Horn

- 3. **SUBJECT: NOTICED PUBLIC HEARING:
MULTIPLE SPECIES CONSERVATION PROGRAM – ACQUISITION
OF PARCEL 99-0128-A (THE NATURE CONSERVANCY)**
(Supv. Dist: 3)

OVERVIEW:

In support of the Multiple Species Conservation Program (MSCP), the State of California and the federal government have committed to acquire or fund the acquisition of habitat lands within the Multiple Species Conservation Program Preserve. To that end, the California Wildlife Conservation Board, the Department of Fish and Game and The Nature Conservancy have worked with the County Department of Parks and Recreation to identify potential sites within the limits of the County of San Diego.

On November 17, 1999 (14), the Board set a hearing for December 15, 1999 to consider the purchase of Parcel No. 99-0128-A from The Nature Conservancy for the appraised value of \$1,976,000. This parcel, known as Santa Fe Views and located within the Lake Hodges segment of the County of San Diego Sub-Area Plan, is part of an ongoing program to assemble important preserve habitat and provide connectivity to other Multiple Species Conservation Program lands.

The Board is requested to approve the Real Property Contract for the purchase of Parcel No. 99-0128-A from The Nature Conservancy.

FISCAL IMPACT:

General Funds in the amount of \$988,000 are budgeted in Capital Project KA9500 for the Multiple Species Conservation Program. The remaining \$988,000 is provided by a grant from the California Wildlife Conservation Board Habitat Conservation Fund which is being appropriated in this action. If approved, this proposal will result in no additional cost in subsequent years, and the addition of no staff years.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Approve and authorize the establishment of appropriations in the amount of \$988,000 in Capital Project KA9500, MSCP Acquisition, based on a grant award received from the California Wildlife Conservation Board (4 VOTES).
2. Approve the Real Property Contract for the purchase of Parcel No. 99-0128-A (The Nature Conservancy) for \$1,976,000 and authorize the Clerk of the Board to execute two copies of the contract, upon receipt.
3. Authorize the Director, Department of General Services, or assignee, to execute all documents necessary to complete the purchase.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Horn, the Board of Supervisors closed the Hearing and took action as recommended on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

4. **SUBJECT: OFF-HIGHWAY VEHICLE (OHV) ROUTE LOCATION STUDY**
(Supv. Dist: All)

OVERVIEW:

On June 17, 1992 (10) the Board of Supervisors authorized a study to determine the feasibility of developing an Off-Highway Vehicle Trails Plan for the unincorporated area of the County. A Feasibility Study was conducted and presented to the Board on March 2, 1994 (9). The Board accepted the recommendations and authorized the preparation of an OHV Route Location Study (Study) and environmental assessment. On April 25, 1995 (17) a consultant contract with Kawasaki, Theilacker, Uneo and Associates (KTU&A) was approved for this work. The contract was amended on April 30, 1997(2) to widen the scope of the Study and apply up-to-date environmental criteria.

The consultant divided the OHV Route Location Study into three phases. Phase 1&2, as well as portions of phase 3 have been completed. In keeping with previous Board direction, most of the candidate routes identified in the Study are located on publicly owned lands. The Study included a thorough gathering of comments from both the general public and the public agencies that own much of the land containing candidate routes. Project support and cooperation on the part of several public land agencies was critical to planning a connected and functional OHV trails system. Citing conflicts with their management goals, plans and policies,

all but one of the public landowning agencies has objected to most of the proposed candidate routes. Therefore, staff has determined that a viable OHV trails system cannot be identified at this time.

This is a recommendation to conclude the OHV Route Location Study, discontinue the remaining tasks identified in the consultant contract, and continue to cooperate with the State in reviewing possible OHV park sites within the county.

FISCAL IMPACT:

The total contract amount budgeted to complete the OHV Study is \$123,230. That amount is funded by the combination of a reimbursement grant from the State Department of Parks and Recreation for \$108,000 and \$15,230 previously appropriated from the County's OHV Trust Fund. Funding for this Study is budgeted in the Department of Public Works Road Fund.

To date, the total amount authorized and paid for on this contract is \$112,243. These expenditures have been funded by a combination of a \$108,000 State reimbursement grant and \$4,243 from the \$15,230 previously transferred from the OHV Trust Fund (#510809) to the Road Fund. If the Study is concluded at this time, \$10,987 of remaining available funds can be returned to the OHV Trust Fund.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, that it can be seen with certainty that there is no possibility that the following action may have a significant effect on the environment.
2. Receive the Revised Phase 1&2 Report Findings of the Off-Highway Vehicle Route Location Study, prepared by Kawasaki, Theilacker, Uneo & Associates, dated January 1999.
3. Find that the Map of Candidate OHV Routes included in the Study does not represent a viable OHV trails system.
4. Deem the Off-Highway Vehicle Route Location Study concluded, and discontinue remaining phase 3 tasks.
5. Direct the Chief Administrative Officer to forward a copy of the OHV Route Location Study to the State Department of Parks and Recreation, Off-Highway Motor Vehicle Recreation Division (OHMVRD); and to the United States Department of Agriculture, Forest Service, Cleveland National Forest.
6. Return surplus funds in the amount of \$10,987 of unused Study funding from the Road Fund to the OHV Fund held In Trust (Trust Fund) Account #510809. (4 VOTES)
7. Direct staff to continue to cooperate with the State in reviewing possible OHV park sites within the county.

ACTION:

Deleting Recommendation 5, directed the Chief Administrative Officer to prepare and attach to the study an explanation letter to the report, ON MOTION of Supervisor Jacob, seconded by Supervisor Horn, the Board of Supervisors took action as recommended.

AYES: Cox, Jacob, Slater, Roberts, Horn

5. **SUBJECT: PROGRESS REPORT: GENERAL PLAN 2020**
(Supv. Dist: All)

OVERVIEW:

This is a progress report on the General Plan 2020 project. The General Plan update will accommodate population growth and plan for infrastructure needs, development, and resource preservation in the unincorporated area to the year 2020.

The following activities are currently taking place:

General Plan Goals, Policies, and Standards: Task is 85 percent complete. Draft regional goals and policies, as endorsed by the Board of Supervisors on September 15, 1999 (8), are being used as the basis for land use distribution alternatives. Standards are continuing to be developed by the Steering Committee.

Community Planning and Sponsor Group Outreach:

Steering Committee meeting was held on November 6, 1999. Standards for floodways, floodplains, steep slopes, and wetlands were established or reaffirmed. Discussion on standards for parks will continue at the next meeting.

Steering Committee meeting held on December 4, 1999. Topics on agenda included standards for parks, sensitive biological habitats, and review of the suggested modification to the Goals and Policies referred by the Board at the September 15, 1999 hearing. Next General Plan 2020 progress report will include results of this meeting since docket of this progress report preceded meeting.

Land Use Distribution Alternatives: Task is 25 percent complete. Meetings are continuing with the individual Planning and Sponsor Groups on regional land use distribution alternatives. The following communities have held their initial meeting to discuss opportunities, constraints, and the general locations for future growth:

November 9, 1999 – Pala-Pauma Subregional Planning Area

November 16, 1999 – Valley Center Community Planning Area

November 18, 1999 – Julian and Lakeside Community Planning Areas

November 23, 1999 – San Dieguito Community Planning Area

November 29, 1999 – Twin Oaks Valley Sponsor Group's portion of North County Metropolitan Subregional Plan

November 30, 1999 – Bonsall Community Planning Area

December 7, 1999 – Ramona Community Planning Area

Existing Conditions Inventory Report will be distributed in December.

Status on the re-organization of the Trails Program as requested by the Board of Supervisors on September 15, 1999 (8), to move trails from the Department of Public Works to the Department of Parks and Recreation: The Directors of the two departments and the Director of Planning and Land Use met on November 2, 1999, to discuss this issue. A decision was agreed upon by all three Directors to create a "Trails Trans-Division." This would be a working group made up of staff from each of the three departments. The work on trails would be logically broken up among the three departments so the expertise of each could be most productive and beneficial for trails in San Diego County. The next step will be to forward a conceptual plan and workplan to the Board of Supervisors early next year.

FISCAL IMPACT:

There is no fiscal impact associated with this status report.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Note and File.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended.

AYES: Cox, Jacob, Slater, Roberts, Horn

6. **SUBJECT: GRANT APPLICATION TO THE FORD FOUNDATION FOR
REGIONAL GENERAL PERMIT 53 – SWEETWATER RIVER
MITIGATION SITE**
(Supv. Dist: All)

OVERVIEW:

The Innovations in American Government Program is a national program that strives to identify and celebrate outstanding examples of creative problem solving in the public sector. The Program is administered by the John F. Kennedy School of Government at Harvard University, one of the nation's foremost schools of public policy, in partnership with the Council for Excellence in Government. Since its inception in 1986, the Program has recognized 230 innovative programs, which have received 14.6 million dollars in Ford Foundation grants. The Innovations in American Government awards are intended to draw attention to exemplary achievements in government and to amplify the voices of public innovators in communicating their practices. In addition, the Kennedy School develops instructional materials based on the contributions of award-winning innovations to the art of creative problem solving in the public sector.

This is a proposal to authorize an application for a \$100,000 Ford Foundation grant through the Innovations in American Government Program and, should the County be successful in achieving the grant, to accept it. These funds, if awarded, will be used to offset costs associated with mitigation efforts for Regional General Permit 53 at the Sweetwater River Off-site Mitigation Area in Bonita.

Regional General Permit 53 allows the County to more efficiently and economically provide flood control and road maintenance tasks by eliminating the need to obtain permits on a project-by-project basis. This innovative program has won a National Association of Counties award and has been nominated for the Governor's Environmental and Economic Leadership award.

FISCAL IMPACT:

If approved, this request would not result in any additional current year or annual costs. If the County's competition for the grant is successful, the result would be additional revenue in a total amount of \$100,000 to the road fund, of which \$10,000 will be budgeted in Fiscal Year 2000-01 and \$10,000 in each of nine subsequent years, to reflect the approximate actual cost of mitigation tasks. This action will require no additional staff years.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15061 (b) (3) of the State California Environmental Quality Act Guidelines that it can be seen with certainty that there is no possibility that the following action may have a significant effect on the environment.
2. Approve the application for, and acceptance of, the Ford Foundation grant for \$100,000, to offset contractual administrative costs at the Sweetwater River Off-site Mitigation Area and authorize the Director of the Department of Public Works to complete and submit all necessary documents.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

7. **SUBJECT: AMENDMENT TO THE REVENUE AGREEMENT FOR THE LEAKING UNDERGROUND STORAGE TANKS PROGRAM**
(Supv. Dist: All)

OVERVIEW:

On October 10, 1999, Governor Davis approved SB 989 (Sher) which would provide for the phase-out of the use of Methyl Tertiary Butyl Ether in gasoline prior to December 31, 2002. SB 989 also addresses the prevention and clean-up of groundwater impacted by Methyl Tertiary Butyl Ether caused by leaking underground storage tanks. The State Water Resources Control Board, the responsible agency, has allocated additional funds to the local oversight programs to hire additional staff. These staff will perform additional tasks to prioritize, investigate and expedite the clean-up of Methyl Tertiary Butyl Ether impacted sites, especially in vulnerable groundwater areas.

The Department of Environmental Health requests approval of an amendment to the revenue agreement with the State Water Resources Control Board for the oversight of remedial action at sites contaminated by leaks from underground storage tanks. The amendment increases the contract total from \$1,465,158 to \$1,659,000 to allocate additional funding to the County of San Diego Local Oversight Program to develop a program to evaluate Methyl Tertiary Butyl Ether impacts within San Diego County, and to classify and add two additional positions to accomplish the increased workload. This is a full cost recovery agreement. All expenditures will be reimbursed by the State.

FISCAL IMPACT:

Funds for this request were budgeted for FY99-00 at \$1,465,158 with an indirect cost rate of 33.65%. If approved, this request will establish \$75,026 in Salaries and Benefits appropriations in the Department of Environmental Health for the current fiscal year to cover the cost of two new positions from January 2000 through June 2000. The funding for these positions for an entire fiscal year will be negotiated into the contract for FY00-01. The funding source is the amended revenue agreement with the State Water Resources Control Board. The proposed amendment will result in \$1,540,184 direct cost and \$1,659,000 revenue for FY99-00, which includes an amended indirect cost rate of 40.1%, and will require the addition of 2 staff years. All expenses will be reimbursed by the State, including internal and external overheads; therefore, there will be a \$118,816 positive effect on the General Fund due to overrealized revenue if the entire contract amount of \$1,659,000 is realized.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER**

1. Approve and authorize the Clerk of the Board to execute an amendment to increase the revenue agreement with the State Water Resources Control Board, to \$1,659,000 for the period of July 1, 1999 through June 30, 2000, to perform additional tasks related to the remedial action and clean-up of leaks from underground storage tanks impacted by Methyl Tertiary Butyl Ether.
2. Authorize the Director, Department of Environmental Health, to execute any extensions, amendments, and or revisions thereof that do not materially impact or alter either the program or funding level.
3. Establish appropriations of \$75,026 in the Department of Environmental Health for Salaries and Benefits to fund two new positions in the local oversight program, based on unanticipated revenue from the State Water Resources Control Board. (4 VOTES)
4. Authorize the Director, Department of Human Resources to review and classify two new positions (Environmental Health Specialist III and Hydrogeologist) and to amend the compensation ordinance.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

8. **SUBJECT: EXTENSION OF TIME TO COMPLETE IMPROVEMENTS FOR TENTATIVE MAP NUMBERS 3838-1, 4348-1, 4500-4, 4626-1, 4626-2, 4626-3, 4754-3, 4783-1, 4829-1, 4854-1, 4858-1, 4875-1, 5049-1, AND 5092-1 (Supv. Dist: 2,3,5)**

OVERVIEW:

On July 6, 1976 (Item #34) the Board of Supervisors approved a process for extending the time to complete improvements for major subdivisions. In this process, the Department of Public Works reviews all existing subdivision agreements every four months and recommends a time extension, when determined appropriate, for all agreements that have expired within that time period. This process is more efficient than reviewing each individual subdivision agreement as it expires.

This is a request to extend the time period for 14 tentative maps for subdivision agreements.

FISCAL IMPACT:

The recommended action has no fiscal impact.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Extend to November 1, 2000, the performance completion date in the subdivision agreements for Tentative Map Numbers 3838-1, 4348-1, 4500-4, 4626-1, 4626-2, 4626-3, 4754-3, 4783-1, 4829-1, 4854-1, 4858-1, 4875-1, 5049-1, and 5092-1.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

9. **SUBJECT: ADMINISTRATIVE ITEM:**
APPROVAL OF A FINAL MAP AND SECURED AGREEMENT FOR PRIVATE IMPROVEMENTS FOR COUNTY OF SAN DIEGO TRACT NO. 4867-1, LOCATED IN BONSALL AREA
(Supv. Dist: 5)

OVERVIEW:

The project is being brought before the Board for approval of the final map and the secured agreement for the private improvements. This project is a subdivision consisting of 13 single-family residential lots, and a total acreage of 39.32 acres. It is located in the Bonsall area, west of Olive Hill Road, on the south side of Puerta de Lomas. (Thomas Guide, Page 1047, G7, 2000 Edition).

FISCAL IMPACT:

This request will have no fiscal impact.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Approve this map.
2. Accept the grant of an access restriction easement over portions of lots 3 through 10, inclusive and lot 13, and the grant of an easement for open space over the portion of lot 7, all as granted on said map.
3. Approve and authorize the Clerk of the Board of Supervisors to execute the Joint Agreement to Improve Major Subdivision, which includes the street improvements and drainage facilities, water facilities, setting of final monuments, and park land fee.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

10. **SUBJECT: MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION OFF-HIGHWAY MOTOR VEHICLE DIVISION**
(Supv. Dist: All)

OVERVIEW:

Should the Board of Supervisors sign a Memorandum of Agreement with the State of California Department of Parks and Recreation?

FISCAL IMPACT:

None

RECOMMENDATION:

SUPERVISOR JACOB:

1. Approve the attached Memorandum of Agreement; and
2. Authorize the Clerk of the Board to sign the attached Memorandum of Agreement.

ACTION:

Revising the wording on Item 4 and 5 of the Memorandum of Agreement from "an OHV site" to "any new OHV site," ON MOTION of Supervisor Cox, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

11. **SUBJECT: APPROVAL OF A FINAL MAP AND SECURED AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN DIEGO TRACT NO. 4993-1, LOCATED IN FALLBROOK PLANNING AREA**
(Supv. Dist: 5)

OVERVIEW:

This project is a subdivision consisting of 21 single-family residential lots, and a total acreage of 28.29 acres. It is located in the Fallbrook area, at the northeast corner of Reche Road and Via Green Canyon Norte. (Thomas Guide, Page 1028, A4, 2000 Edition)

The project is being brought before the Board for approval of the final map and the secured agreement for the public and private improvements.

FISCAL IMPACT:

This request will have no fiscal impact.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Approve this map and accept on behalf of the public, subject to improvements, the portion of Reche Road (SF 1416) for use as a street, together with the right to extend and maintain drainage facilities, excavation and embankment slopes beyond the limits of the right-of-way, as dedicated on said map.
2. Accept the access rights from the portions of lots 18 through 21 reserved for future street, in and to Reche Road (SF 1416), except at Via Green Canyon Norte, as relinquished and waived on said map.
3. Accept the noise protection easement over portions of lots 18 through 21, as granted On said map.
4. Reject, on behalf of the public, the portions of lots 18 through 21 reserved for future street, together with the right to extend and maintain drainage facilities and excavation and embankment slopes beyond the limits of the right-of-way, as offered for dedication on said map.
5. Reject, on behalf of the public, the access rights from lots 18 through 21, in and to the portions of lots 18 through 21 reserved for future street, as offered on said map.
6. Approve and authorize the Clerk of the Board of Supervisors to execute the Agreement to Improve Major Subdivision, which includes the street improvements, water facilities, and setting of final monuments.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

12. **SUBJECT: ADMINISTRATIVE ITEM:**
APPROVAL OF A FINAL MAP AND SECURED AGREEMENTS FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN DIEGO TRACT NO. 5066-1, LOCATED IN THE SAN DIEGUITO COMMUNITY PLANNING AREA
(Supv. Dist: 3)

OVERVIEW:

This project is a subdivision consisting of 15 single-family residential lots, and a total acreage of 324.53 acres. It is located in the 4S Ranch area at the intersection of Camino del Norte and Rancho Bernardo Road. (Thomas Guide, Page 1169, E-3, 2000 Edition). This is a request for approval of the final map and the secured agreements for the public improvements.

FISCAL IMPACT:

There is no cost to the County as a result of this request. The subdivider is paying for all property acquisition costs, including County staff expenses.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Approve this map and accept on behalf of the public, subject to improvements, Camino del Norte (SA 680), Dove Canyon Road, 4S Ranch Parkway, Lone Quail Road, Deer Ridge Road, Camino San Bernardo, Prairie Springs Road, Rancho Bernardo Road, Portions of Dove Canyon Road, Portion of Lone Quail Road, Portion of Camino San Bernardo, and Portions of Black Mountain Road for use as streets as dedicated on said map.
2. Accept the access rights from lots 1, 5 and 6 in and to Camino del Norte (SA 680), from lot 10 in and to Dove Canyon Road and from lots 9, 10, 11 and 12 in and to Camino San Bernardo, as relinquished and waived on said map.
3. Accept the drainage easements, as dedicated on said map.
4. Vacate on behalf of the public any portion of the public road per New Survey No. 3 lying within the boundary of said map.
5. Approve and authorize the Clerk of the Board of Supervisors to execute the Agreement to Improve Major Subdivision, which includes the street improvements and drainage facilities, sewer facilities, water facilities, setting of final monuments.
6. Approve and authorize the Clerk of the Board of Supervisors to execute the Agreement to Improve Major Subdivision (Off-Site, CG 4273), which includes the street improvements and drainage facilities, water facilities, engineering and right-of-way acquisition.
7. Approve the agreement with the subdivider, 4S Kelwood, General Partnership for the purchase of off-site easements, and authorize the Clerk of the Board to execute the agreement.
8. Amend the spending plan in Facilities Management Internal Service Fund in the amount of \$339,350 in the Real Estate Services Division Program for Acquisition of rights-of-way based on revenue received from the subdivider.
9. Authorize the Director of General Services or assignee, to execute any purchase agreements and escrow instructions, and accept any deeds generated by the purchase agreements.
10. Adopt the "Resolution of the Board of Supervisors Declaring Certain City Street Property to be a County Highway for Purposes of Acquisition and Improvement and Requesting the Consent of the City of San Diego City Council".

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent adopting Resolution No. 99-373, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS DECLARING CERTAIN CITY STREET PROPERTY TO BE A COUNTY HIGHWAY FOR PURPOSES OF ACQUISITION AND IMPROVEMENT AND REQUESTING THE CONSENT OF THE CITY OF SAN DIEGO CITY COUNCIL

AYES: Cox, Jacob, Slater, Roberts, Horn

13. **SUBJECT: ADMINISTRATIVE ITEM:**
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE
AN ORDINANCE AMENDING THE COUNTY FIRE CODE;
WILDLAND/URBAN INTERFACE STANDARDS
(Supv. Dist: All)

OVERVIEW:

On December 8, 1999 (2), your Board introduced Ordinance for further Board consideration on December 15, 1999.

On January 21, 1997 (1), the Board of Supervisors approved in principle, revisions to the County Building Code requiring Class A (non-combustible) roofing and directed staff to bring the Wildland/Urban Interface Standards back for review. Development of the Standards took over two years to complete, due to the length of time needed to build consensus among the project participants. Those participants included the Fire Service, Building Industry, Wildlife Agencies and County staff.

The Wildland/Urban Interface Standards will help safeguard life and property against destruction from wildfires by creating an area of defensible space along private roadways and between structures and combustible vegetation. This is a request to amend the County Fire Code by adopting those Wildland/Urban Interface Standards.

FISCAL IMPACT:

There is no fiscal impact associated with these actions.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Adopt Ordinance entitled:

AN ORDINANCE AMENDING APPENDIX II-A OF THE COUNTY FIRE CODE
RELATING TO WILDLAND/URBAN INTERFACE STANDARDS

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Jacob, the Board of Supervisors took action as recommended, adopting Ordinance No. 9111 (New Series) entitled: AN ORDINANCE AMENDING APPENDIX II-A OF THE COUNTY FIRE CODE RELATING TO WILDLAND/URBAN INTERFACE STANDARDS.

AYES: Cox, Jacob, Slater, Roberts, Horn

14. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE
TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS TO THE
COUNTY BOARD OF SUPERVISORS**
(Supv. Dist: All)

OVERVIEW:

On December 8, 1999 (3), your Board introduced Ordinance for further Board consideration on December 15, 1999.

The Traffic Advisory Committee (TAC) meets every six weeks to review proposed changes or additions to traffic controls. This committee recommends your action on 23 items, recommending adoption of 13 items, not recommending adoption of or taking an alternative action on ten items (D, E, F, G, I1, I2, J, M, N, & O). Two items (C & H) were continued at the request of the respective community planning group prior to the meeting.

FISCAL IMPACT:

Funds for this proposal are budgeted in the Road Fund.

RECOMMENDATIONS

CHIEF ADMINISTRATIVE OFFICER:

Adopt Ordinance entitled:

AN ORDINANCE AMENDING SECTION 72.126. TO THE SAN
DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS
IN THE COUNTY OF SAN DIEGO

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Horn, the Board of Supervisors took action as recommended on Consent, adopting Ordinance No. 9112 (New Series) entitled: AN ORDINANCE AMENDING SECTION 72.126. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO.

AYES: Cox, Jacob, Slater, Roberts, Horn

15. **SUBJECT: ADMINISTRATIVE ITEM:**
RATIFY PROCLAMATION OF LOCAL EMERGENCY FOR
DAMAGING CONDITIONS CAUSED BY THE MEXICAN FRUIT FLY
INFESTATION OF OCTOBER 1999
(Supv. Dist: 5)

OVERVIEW:

On December 7, 1999 (24), the Board ratified a Proclamation of Local Emergency made by the Chief Administrative Officer on December 2, 1999. The emergency will be reviewed by the Board at each meeting until such time as the emergency no longer exists.

FISCAL IMPACT:

The recommended action has no direct fiscal impact on County funds.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Determine that there is a need to continue the Local Emergency for damaging conditions caused by the Mexican Fruit Fly infestation, as proclaimed by the Board on December 7, 1999.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Horn, the Board of Supervisors took action as recommended on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

16. **SUBJECT: Closed Session**
(Supv. Dist: All)

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Lloyd Pierce, et al. v. County of San Diego, et al.; El Cajon Superior Court No. EC017819
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Jerry Mailhot v. County of San Diego, et al.; San Diego Superior Court No. 728679
- C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Anticipated litigation pursuant to section (c) of Government Code section 54956.9
No. of Potential Cases: 1
- D. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Anticipated litigation pursuant to section (c) of Government Code section 54956.9
No. of Potential Cases: 1

E. CONFERENCE WITH LABOR NEGOTIATORS

Designated Representative: Carlos Arauz, Madge Blakey and Carole McCown
Employee Organization: SEIU, Local 2028

ACTION:

There were no reportable item.

17. **SUBJECT: Presentation/Proclamations**

Vice Chairwoman Jacob presented a Proclamation honoring Congressman Duncan Hunter.

Supervisor Cox presented a Proclamation honoring Congressman Brian Bilbray.

There being no further business, the Board adjourned at 11:38 a.m. in memory of Allison Bellisario, William H. Patterson, Boyd Stephens, Gilio Mattera, C. Desmond Pangelley, Clarence Robert Brown, Sr. and Deviney Noel Snider.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors
County of San Diego, State of California

Notes by: Andoh

This Statement of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.